

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL DOCKET NO.: 5:03CV111-V

FITEL USA CORPORATION, d/b/a
FURUKAWA ELECTRIC NORTH
AMERICA, INC.,

Plaintiff,

vs.

ALCATEL, Alcatel NA Cable Systems
Inc., d/b/a Alcatel Telecommunications
Cable, and Alcatel USA,
Defendants.

ORDER

THIS MATTER is before the Court on its own motion. Given that the patent claims at issue in the instant civil action was accepted for reexamination by the U.S. Patent and Trademark Office in May 2004, and in light of the indefinite stay of this civil action as a result of those proceedings (as well as the parties' more recent representation that settlement is imminent), administrative action pursuant to the *Guide to Judiciary Procedures*, Volume XI, Chapter V, is appropriate.

IT IS, THEREFORE, ORDERED that the Clerk of Court is directed to remove this action as a statistically pending matter as outlined in Volume XI, Chapter V of the *Guide to Judiciary Policies and Procedures*. Plaintiff is advised that if relief is ultimately sought from this Court at the conclusion of those proceedings, a motion requesting that the case be reopened should be submitted.

Signed: September 7, 2007



Richard L. Voorhees
United States District Judge

